

RESOLUTION NO. 24-158

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE SIXTH AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT NUMBER 10-140, FRANCHISE AGREEMENT FOR SOLID WASTE REFUSE COLLECTION AREA NUMBER THREE (ANDERSON VALLEY AREA)

WHEREAS, Board of Supervisors (BOS) Agreement No. 10-140, Franchise Agreement between County of Mendocino and Solid Wastes of Willits, Inc., for Solid Waste Refuse Collection Area No. Three, was entered into August 17, 2010; and

WHEREAS, BOS Agreement No. 10-140 was subsequently amended by Amendment 1 (BOS Agreement No. 11-024) on March 15, 2011, Amendment 2 (BOS Agreement No. 10-140-A2) on January 22, 2013, Amendment 3 (BOS Agreement No. 10-140-A3) on September 25, 2018, Amendment 4 (Resolution No. 23-062) on March 28, 2023, and Amendment 5 (BOS Agreement No. 23-214 / DOT Agreement No. 230040) on December 19, 2023; and

WHEREAS, the Fifth Amendment, BOS Agreement No. 23-214 / DOT Agreement No. 230040, Assignment and Assumption Agreement Among Solid Wastes of Willits, Inc., Redwood Waste Solutions, Inc., and County of Mendocino, assigned the Franchise Agreement for Solid Waste Franchise Area No. 3 to Redwood Waste Solutions, Inc. (RWS); and

WHEREAS, RWS also performs solid waste collection services in Franchise Areas No. 1, 2 and 4; and

WHEREAS, currently, the holidays defined in each Franchise Agreement are not consistent, which creates inequity among employees being allowed holidays off; and

WHEREAS, RWS has requested the holidays in Franchise Area No. 3 be amended to be New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas Day, to allow their staff to have the holidays off; and

WHEREAS, the change to the holiday schedule will not result in a decrease of service, but rather a delay of one day in collection on those defined holidays and DOT staff believes that to be reasonable; and

WHEREAS, the Sixth Amendment to BOS Agreement No. 10-140 amends the definition of "Holidays" to read "New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas Day".

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby:

1. Approves the Sixth Amendment BOS Agreement No. 10-140; and

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2. Authorizes and directs the Chair of the Board of Supervisors to execute said Amendment on behalf of Mendocino County.

The foregoing Resolution introduced by Supervisor Haschak, seconded by Supervisor Williams, and carried this 5th day of November, 2024, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

MAUREEN MULHEREN, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHARLOTTE E. SCOTT
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy